

EXHIBIT # 6
DATE 2/12/2013
HB 380

Commentary regarding HB 380

Attorney General Steve Bullock ruled (AG Opinion 53-5) in the fall of 2010 that Section 22-1-313 MCA clearly applies to a city library exists when there is a county library, whereby the City Council may unilaterally act to exempt the city property owners from county library tax, as they are paying city library tax to support their city library.

In other words, the intent of this section of the law appears to be to preclude double taxation for library purposes.

Whenever a library district is proposed and presented to the voters, Montana library laws require that a maximum number of permissible mills be placed on the ballot, together with the "Yes" or "No" choice to form the district or not form the district. The purpose of this 'ceiling' on library district mills is to limit the number of mills the District Trustees can assess, a limitation that can only be increased by a vote of the District's constituency.

Left unclear, however, is the effect the formation of the District has on the county library tax paid by property owners within that newly formed district. Are the district property owners automatically exempted from county library tax, or are they still subject to county library taxes, with the additional obligation to pay district library tax?

In order to clarify this ambiguity in the library laws, the proposed amendments in this bill grant to elected district library Trustees the same ability to exempt their constituent property owners from double taxation as has been granted to elected city councilors under the current language of 22-1-313 MCA.

The intent of 22-1-313 MCA as written appears to give City Councils who are providing library services to their constituents the ability to preclude double taxation. The proposed amendments to this section of the law are intended to clarify an existing ambiguity by extending the same opportunity to elected Library District Trustees to preclude double taxation for their constituents as well.

I strongly support your adoption of the proposed amendments contained in this bill to remove any ambiguity in current library laws that may otherwise lead to double taxation for library services.

Respectfully,



Jerry Hanson
528 Ramsey Avenue
Whitefish TM 59937

marjorie fisher

From: "Phyllis and Don Snow" <pdqsnow@cyberport.net>
Date: Monday, February 11, 2013 1:53 PM
To: <mfisher1@bigsky.net>
Subject: Fw: Bill to Determine Lead Agency/District for libraries

I'll try again.

Phyllis

----- Original Message -----

From: Phyllis and Don Snow
To: mfisher@bigsky.net
Sent: Monday, February 11, 2013 11:06 AM
Subject: Re: Bill to Determine Lead Agency/District for libraries

Joe Kositzky, Director,
Whitefish Community Library
9 Spokane Ave.
Whitefish, MT 59937

Please put my vote in for letting libraries chose whether or not they want to be an individual library or in with a group of other libraries. While conglomerates can have advantages, they also can restrict.

Being part of something BIG is not necessarily the best solution for a small group. Being small and individual can frequently be more productive for those being served by the small group.

Phyllis Snow

2/11/2013

marjorie fisher

From: "Dan and Kaaren Arnoux" <dk_arnoux@hotmail.com>

Date: Monday, February 11, 2013 10:19 AM

To: "Marge Fisher" <mfisher1@bigsky.net>

Subject: Library Bills

I am emailing my support for Bills 1363 and 1364.

I feel that the management for libraries should fall to the local level allowing those entities to make any and all management decisions.

I also believe that the Flathead County Library Board asking for additional funding when they have lost 1/4 of the libraries they support (e.g. Whitefish Library) is wrong. Whitefish Library is now a locally funded and managed library and is doing quite well.

Kaaren Arnoux

2/11/2013